

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7029**

**BILL NUMBER:** HB 1495

**NOTE PREPARED:** Feb 15, 2005

**BILL AMENDED:** Feb 10, 2005

**SUBJECT:** Maintenance of Roads Occupied by Railroad Tracks.

**FIRST AUTHOR:** Rep. Foley

**FIRST SPONSOR:** Sen. Server

**BILL STATUS:** As Passed - House

**FUNDS AFFECTED:**     **GENERAL**  
                          **X DEDICATED**  
                          **X FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill provides that the Department of Transportation (INDOT) a county, or a municipality may provide highway or road surface maintenance at a railroad crossing if the railroad approves the work in advance. It provides that highway or road construction and maintenance work at railroad crossings may be paid for from federal rail safety funds.

The bill provides the standard by which a railroad must grade, surface, and maintain a public highway, public road, and railroad tracks at a railroad crossing. It provides the boundaries within which the railroad is responsible for the repair and maintenance of the grade and surface occupied by the railroad tracks. The bill permits a motor vehicle used to transport operating crew members of a railroad to display a lamp placed on the top of the motor vehicle with flashing yellow or amber lights.

**Effective Date:** July 1, 2005.

**Explanation of State Expenditures:** The proposal does not impose additional expenditures on the INDOT and local units. However, INDOT and the local units may choose to incur additional expenditures as permitted by the bill. The funds affected for INDOT are the State Highway Fund and federal funds.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** See *Explanation of State Expenditures*.

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Transportation.

**Local Agencies Affected:** County and municipal highway departments.

**Information Sources:**

**Fiscal Analyst:** James Sperlik, 317-232-9866.